

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS – DALLAS DIVISION

DAN-BUNKERING (AMERICA), INC.,	§	
	§	
Plaintiff	§	
	§	CIVIL ACTION NO. 3:20-cv-03341-S
v.	§	
	§	IN ADMIRALTY, RULE 9(h)
ICHOR OIL, LLC,	§	
	§	(Unopposed)
Defendant	§	

**B&G FUTURES, INC.’S UNOPPOSED MOTION FOR
EXTENSION OF TIME TO FILE RESPONSE BRIEF**

TO THE HONORABLE REBECCA SUTHERLAND, UNITED STATES MAGISTRATE JUDGE:

Now comes B&G Futures, Inc. to file this Unopposed Motion for Extension of Time to File Response Brief, and in support thereof would respectfully show the following:

1. On October 18, 2022 the Court raised the issue of its admiralty jurisdiction over this case and ordered that the parties brief the issue. (ECF 115, p. 4).
2. Consistent with the Court’s Order, Plaintiff Dan-Bunkering filed its Brief 21 days later on the deadline set by the Court, Tuesday, November 8. (ECF 116).
3. B&G Futures’s Response Brief is due 14 days after that on Tuesday, November 22. However, counsel for B&G Futures does not believe that he will be able to finish revising and clarifying the Response Brief by then. B&G Futures requests a short extension until next Monday, November 28.

4. The requested extension will not significantly delay this case. The requested extension includes the Thanksgiving holiday weekend and thus includes only two business days.

4. To date B&G Futures has timely filed six responses and replies in this case without previously requesting a single extension. (ECF 60, 68, 76-77, 109-10, 113, 114).

5. B&G Futures believes that its briefing in this case has been clear and of benefit to the Court. B&G Futures desires to present its argument on the issue of subject matter jurisdiction in a manner that will likewise be clear and beneficial.

6. This request for a short extension of time is unopposed by Plaintiff Dan-Bunkering.

PRAYER

Wherefore, premises considered, Garnishee B&G Futures, Inc. respectfully requests that the Court grant leave to file B&G Futures Inc.'s Second Amended Answer and Counterclaim,

Respectfully submitted,

/s/ Kurt S. Elieson

Kurt S. Elieson
Texas Bar No. 06521100
CARPENTER & ASSOCIATES
555 Republic Drive, Suite 510
Plano, Texas 75074
972-455-8700 - Tel.
972-767-5599 - Fax
kurte@carplawfirm.com - Email

CERTIFICATE OF CONFERENCE

This is to certify that on November 21, 2022 the undersigned counsel exchanged emails with Stephen Simms, counsel for Dan-Bunkering, who stated in his email that he is not opposed to the requested extension of time.

/s/ Kurt S. Elieson
Kurt S. Elieson

CERTIFICATE OF SERVICE

I hereby certify that on November 21, 2022 a true and correct copy of the foregoing document has been served via the Court's electronic notification system to all counsel of record.

/s/ Kurt S. Elieson
Kurt S. Elieson